U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

MAY 29 1996

DOT-E 11601

EXPIRATION DATE: April 29, 1998

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Hampton & Branchville Railroad Company, Inc.
Hampton, South Carolina

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation, in commerce, of tank cars containing hazardous materials described in paragraph 6 below without the required number of buffer cars between the engine and placarded tank car. This exemption provides no relief from any regulations other than as specifically stated.

3. REGULATORY SYSTEM AFFECTED: 49 CFR 106, 107 and 171-180

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 174.85(c) and (d); 172.302 (c); and Appendix B to Subpart B, Paragraph (1) of Part 107

5. BASIS. This exemption is based on Hampton & Branchville Railroad Company, Inc's application of November 6, 1995, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101): All hazardous materials except those in Divisions 1.1, 1.2, 2.3, and 6.1 PG I Hazard Zones A and B, or Class 7.

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT and non-DOT specification tank cars authorized for the hazardous material being transported.

b. MARKING - The marking requirements of 49 CFR Part 107, Appendix B, to Subpart B, Paragraph (1) and Part 172.302 (c) are waived.

c. SAFETY CONTROLS - Specification tank cars containing hazardous materials identified in paragraph 6 above may be transported on Hampton & Branchville Railroad Company, Inc.'s property by Hampton & Branchville Railroad Company, Inc.'s train crews without train placement restrictions specified in Part 174.85 (c) and (d) subject to the following restrictions:

i. Division 1.1, 1.2, 2.3, and 6.1 PG I Hazard Zones A and B, or Class 7 materials are not authorized for transportation under this exemption.

ii. The maximum authorized speed for the transportation of these placarded tank cars shall not exceed 15 miles per hour.

iii. The maximum movement distance for the transportation of these placarded tank cars shall not exceed 6.5 miles.

8. SPECIAL PROVISIONS. -

a. A copy of this exemption must be in possession of a member of the train crew.

b. In addition to the requirements of 49 CFR Part 172.203(a), applicable notices to train crews (49 CFR Part 174.26) must bear the notation "DOT-E 11601" so located that the notation is clearly associated with the description to which the exemption applies.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS:

a. The Federal Railroad Administration is to be notified if any unusual incident occurs during the movement by contacting the:

Federal Railroad Administration
Office of Safety Assurance and Compliance, RRS-12
Hazardous Materials Division, Room 8326
400 Seventh Street, S.W.
Washington, D.C. 20590
(202) 366-9178 or 366-0549

11. COMPLIANCE. Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- Registration required by 49 CFR 107.601 et seq., when applicable.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect unless a regulation has been amended making the exemption no longer necessary.

12. REPORTING REQUIREMENTS. The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipment made under the terms of this exemption.

Issued at Washington, D.C.:

MAY 29 1996

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590 Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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